



AF/3742/  
IFW

PATENT  
Customer No. 22,852  
Attorney Docket No. 07883.0106

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
David H. MOWRY ) Group Art Unit: 3743  
)  
Application No.: 09/769,746 ) Examiner: K. Odland  
)  
Filed: January 25, 2001 )  
)  
For: INTRAVASCULAR )  
VENTRICULOCORONARY ) Confirmation No. 5109  
BYPASS VIA A SEPTAL )  
PASSAGEWAY )

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Applicant hereby appeals to the Board of Appeals from the decision of the Examiner set forth in the final Office Action dated August 10, 2004. A Petition for Extension of Time - One Month to extend the period for response to December 10, 2004 is enclosed together with the small entity fee payment of \$60.00. The Appeal Fee payment of \$250.00 for a small entity is also provided. A check for \$310.00 to cover the extension of time fee and the appeal fee is enclosed.

12/10/2004 SSITHIB1 00000095 09769746

02 FC:2401

250.00 OP

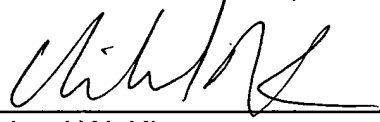
Please grant any extensions of time required to enter this Notice of Appeal and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 9, 2004

By: \_\_\_\_\_

  
Michael W. Kim  
Reg. No. 51,880

Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
Customer No. 22,852